

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION

2005 Aug-25 PM 04:21  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

<b>WILLIAM RODNEY JONES,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No.</b>
	)	<b>5: 03-cv-2490-PWG-UWC</b>
<b>SIDNEY L. ODEN, SR.,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM OF OPINION**

After conducting an evidentiary hearing in the above-styled case the magistrate judge filed a report and recommendation on July 26, 2005 recommending that the defendants' motion for summary judgment be granted and this cause be dismissed with prejudice. No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for summary judgment is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

Done this 25<sup>th</sup> day of August, 2005.

  
U. W. Clemmons  
Chief United States District Judge